

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MOISES MENDEZ,

Plaintiff,

V.

STARWOOD HOTELS AND RESORTS
WORLDWIDE, INC.,

Defendant.

08-CIV-4967 (CM) (KNF)

ECF CASE

NOTICE OF MOTION

PLEASE TAKE NOTICE THAT, upon the Declaration of Michael Starr, Esq., and the exhibit attached thereto; and all prior pleadings and papers filed in this action, Defendant, Starwood Hotels and Resorts Worldwide, Inc. will move this Court at United States District Court, Southern District of New York, 500 Pearl Street, New York, New York, 10007, on such date and time as the Court sets, to dismiss the above-referenced action pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure and to compel arbitration asserted therein pursuant to the Federal Arbitration Act, 9 U.S.C. §§ 1 et seq.

Dated: New York, New York
June 27, 2008

HOGAN & HARTSON LLP

By: _____ /s/
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Attorneys for Defendant

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MOISES MENDEZ,	:	
	:	
Plaintiff,	:	08-CIV-4967 (CM) (KNF)
	:	
v.	:	
	:	
STARWOOD HOTELS AND RESORTS	:	
WORLDWIDE, INC.,	:	
	:	
Defendant.	:	
-----	X	

CERTIFICATE OF SERVICE

I, Christine M. Wilson, certify under penalty of perjury that I caused a true and correct copy of the foregoing Motion to Dismiss and accompanying papers to be served on the 27th day of June 2008 by first class U.S. mail and by electronic means to the following counsel of record:

Kenneth P. Thompson, Esq.
Ariel Yigal Graff, Esq.
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_____/s/
Christine M. Wilson

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*Attorneys for Defendant Starwood Hotels &
Resorts Worldwide, Inc.*